

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 10/12/2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
 VICTOR MARTINEZ and NESTOR
 TORIBIO RAMOS,

Plaintiff,

JUDGMENT AS TO PLAINTIFF
VICTOR MARTINEZ ONLY

Case No: 21-cv-1229 (VEC)

-against-

FISCARDO, INC. D/B/A ORION DINER &
 GRILL, ASTRINOS VOUMVOURAKIS and
 IOANNIS AKRIOTIS

Defendants.

-----X

WHEREAS, Plaintiff VICTOR MARTINEZ filed a complaint against the Defendants FISCARDO, INC. D/B/A ORION DINER & GRILL, ASTRINOS VOUMVOURAKIS, and IOANNIS AKRIOTIS on February 11th, 2021, alleging violations of the Fair Labor Standards Act and New York Labor Law;

WHEREAS Defendants noticed an appearance on March 30th, 2021;

WHEREAS Defendants made an offer of judgment solely to Plaintiff VICTOR MARTINEZ pursuant to Federal Rule of Civil Procedure 68 on October 12th, 2021;

WHEREAS, Plaintiff VICTOR MARTINEZ accepted the offer of judgment and filed notice of acceptance on October 12th, 2021

NOW THEREFORE, IT IS ORDERED, ADJUDGED and DECREED that a judgment be entered against the Defendants FISCARDO, INC. D/B/A ORION DINER & GRILL, ASTRINOS VOUMVOURAKIS, and IOANNIS AKRIOTIS, jointly and severally, inclusive of attorneys' fees and costs, in favor of Plaintiff VICTOR MARTINEZ, in the amount of \$47,500.00.

This judgment shall be in full satisfaction of all federal and state law claims or rights

that Plaintiff VICTOR MARTINEZ may have to damages, or any other form of relief, arising out of the alleged acts or omissions of Defendants or any owner, employee, or agent, either past or present, of the Defendants, in connection with the facts and circumstances that are the subject of this action.

Nothing in this judgment will affect the claims or defenses related to any current or future co-plaintiff(s) nor be used as evidence in litigating the claims or defenses related to any current or future co-plaintiff(s).

Dated: New York, NY

October 12, 2021

SO-ORDERED:

Valerie Capri

U.S. District Judge